

REMARKS

Claims 31 and 38 have been amended. No claims have been canceled or added. Hence, claims 31 – 44 are pending examination.

Claims 31 – 44 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 34 – 35 and 41 – 42 are rejected under 35 USC 102(e) as being anticipated by "Johnson" (U.S. Patent No. 5,721,943).

REJECTIONS UNDER 35 USC 112

Claims 31 – 44 are rejected under 35 USC 112, second paragraph because it was allegedly unclear which request the limitation at line 8 of claim 31, for example, was referring to. Claims 31 and 38 have been amended to clarify which request is being referred to. Reconsideration and removal of the rejection is respectfully requested.

REJECTIONS BASED ON PRIOR ART

CLAIMS 31 AND 38

Claims 31 and 38 recite a "requester receiving from [a] lock management system a response," to a "request for a certain lock on a first resource," that "(1) denies said request" because of a block conditioning and that "(2) includes data that identifies [a] second resource", and the "requester transmitting to said lock management system a request for a lock on said second resource" to "determine[e] said blocking condition is no longer in effect." Thus claims 31 and 38 require a response for denying a first lock request because of a blocking condition, where the response includes data that identifies a second resource for which a second lock may be requested to determine whether the

blocking condition is no longer in effect. The cited art fails to suggest in any way much less disclose this feature.

The Examiner alleges that Johnson's teachings regarding a process of requesting inference locks for a rules engine, as depicted in FIGS. 6, disclose these features. However, like the rest of Johnson, these teachings do not suggest in any way much less disclose the above highlighted features of claims 31 and 38.

Passages describing this process are at col. 7, lines 15 – 52. The two passages describe that when a lock on a rule entity is requested a check is made for a temporary lock. If there is one, processing is suspended until the temp lock is removed. If the lock request is granted, either because the lock was relinquished or the rule entity was never locked, then information about the lock holder (grantee) is recorded.

The second passage describes what specifically happens when a lock is denied. It states that "operation 134 sets the request result to "DENIED". Johnson describes no other response specific to denying a lock request. Simply setting a request result to DENIED cannot possibly suggest in any way much less disclose a response for denying a first lock request because of a blocking condition, where the response includes data that identifies a second resource, one for which a second lock request may be made to determine whether the blocking condition is no longer in effect, as claimed.

After setting the request result to DENIED, subsequent operations follow which are performed not just specifically for denying the lock request but also for granting the lock request. (col. 7, line 65 – col. 8, line 4) These subsequent operations include deleting a record generated to record the temporary lock and executing late notification routines to notify programs that a lock has been granted. (id., see also col. 3, lines 42 – 45 for description of late notification routines). None of these subsequent operations suggest in

any way much less disclose a response for denying a first lock request because of a blocking condition, where the response includes data that identifies a second resource, one for which a second lock request may be made to determine whether the blocking condition is no longer in effect, as claimed.

Based on the foregoing, claims 31 and 38 are patentable. Reconsideration and allowance of claims 31 and 38 are respectfully requested.

CLAIMS 32 AND 39

Claims 32 and 39 recite that the "second resource is a transaction and said first resource is a resource locked for said transaction." Johnson does teach a form of a transaction referred to by Johnson as inference transaction. Further, Johnson does teach that when a lock is granted that an "identifying record is made ... containing the lock data" preferable including "a unique transaction identifier (trxid), a session identifier, a lock identifier, an inference transaction identifier (intrxid), a rule entity identifier, a delay or immediate indicator, an identifier indicating whether early, late, or no notification is needed." (emphasis added). Thus, Johnson does teach that transaction id is generated and stored as part of a response to granting a lock request. However, Johnson does not suggest in any way that the transaction id is generated as part of a response that denies a lock request.

REMAINING PENDING CLAIMS

The pending claims not discussed so far are dependant claims that depend on an independent claim that is discussed above. Because each of the dependant claims include the limitations of claims upon which they depend, the dependant claims are patentable for at least those reasons the claims upon which the dependant claims depend are patentable. Removal of the rejections with respect to the dependant claims and allowance of the dependant claims is respectfully requested. In addition, the dependent claims introduce additional limitations that independently render them patentable. Due to the fundamental difference already identified, a separate discussion of those limitations is not included at this time.

For the reasons set forth above, Applicant respectfully submits that all pending claims are patentable over the art of record, including the art cited but not applied. Accordingly, allowance of all claims is hereby respectfully solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP



Marcel K. Bingham
Reg. No. 42,327

Dated: March 6, 2007

2055 Gateway Place, Suite 550
San Jose, CA 95110
Telephone No.: (408) 414-1080 ext.206
Facsimile No.: (408) 414-1076

OID 2001-105-01

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on

3/6/07

by

Trudy Bagdon